IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.233 OF 2006
WITH
NOTICE OF MOTION NO.1137 OF 2006
IN
NOTICE OF MOTION NO.78 OF 2006
IN
SUIT NO.40 OF 2006

Cadila Healthcare Ltd. ....Appellant
V/s.
Franco-Indian Pharmaceuticals
Pvt. Ltd. and another ....Respondents

Mr.Janak Dwarkadas, Senior Advocate i/b M/s.Singhi & Co. for the Appellant.

Dr.Virendra Tulzapurkar, Senior Advocate i/b Mr.M.A. Mahadgut for the Respondents.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 18TH APRIL, 2006.

P.C. :

1. Heard the learned Senior Advocate for the Appellant and the learned Senior Advocate for the Respondents.

2. By this Appeal, the Appellant is challenging the order dated 10.2.2006, which is an ad-interim order. The Appellant has not even filed the affidavit in reply. We have perused the order. We do not find any error or illegality with regard to the ad-interim

order. However, having regard to the facts and circumstances of this case, the hearing of the above Notice of Motion pending before the learned single Judge is expedited. The Appellant to file an affidavit in reply in two weeks from today. The parties are at liberty to move the learned single Judge for a fixed date of hearing.

3. Needless to say that while disposing of the above Notice of Motion, the learned single Judge will not be influenced by the observations made in the aforesaid ad-interim order.

4. The Appeal stands disposed of accordingly.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)